

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CR NO.113 of 2007

DATE OF DECISION: January 12, 2007

Laadi alias Gurnam Singh

....Petitioner

VERSUS

Chand Rani

....

Respondent

CORAM:- HON'BLE MR. JUSTICE VINEY MITTAL

PRESENT: Shri Jagdeep S. Virk, Advocate for the petitioner.

Viney Mittal,J.(Oral).

The defendant is petitioner before this Court. He is aggrieved against the order dated December 13, 2006 passed by the trial Judge, whereby the evidence of the defendant petitioner has been ordered to be closed.

After hearing the learned counsel for the petitioner and on perusal of the order passed by the trial Judge, although I am satisfied that the defendant petitioner has been quite negligent in not producing the evidence on various dates which were granted to him for the aforesaid purpose, but keeping in view the interest of justice, I feel that one last opportunity needs to be granted to the defendant petitioner.

Consequently, the present petition is allowed. The order dated December 13, 2006 passed by the trial Judge is set aside subject to payment of Rs.3,500/- as costs. The costs would be a

condition precedent for permitting the defendant petitioner to lead his entire

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evidence. Now, the learned trial Court shall fix one date. On the aforesaid date, the defendant petitioner shall conclude his entire evidence at his own responsibility and without the assistance of the Court.

If the costs are not paid or the evidence is not concluded on the aforesaid date, then the present petition shall be deemed to have been dismissed.

A copy of the order be given dasti on payment of usual charges.

January 12, 2007
KD

(Viney Mittal)
Judge